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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JOSHUA GERSTEIN,

Plaintiff,

v.
CENTRAL INTELLIGENCE AGENCY,
et al.,

Defendant.

Case No. C 06-04643 MMC

**STIPULATION TO EXTEND
DEADLINE FOR FILING CASE
MANAGEMENT REPORT AND TO
CONTINUE CASE MANAGEMENT
CONFERENCE AND ~~PROPOSED~~
ORDER**

The parties hereby stipulate to extend the deadline for filing the Joint Case Management Report, which is currently due July 31, 2009, and to continue the case management conference set for August 7, 2009. The bases for this stipulation are as follows:

1. As of March 6, 2009, the following motions were fully briefed and submitted to the Court: defendant's renewed motion for summary judgment; plaintiff's motion for partial summary judgment against defendant Central Intelligence Agency; and plaintiff's motion to modify

1 stipulation and order dismissing certain pending claims. These motions address all issues
2 presently outstanding in this case.

3 2. By order dated May 18, 2009, the Court set the above-noted case management report
4 and conference dates.

5 3. Inasmuch as the Court has yet to issue decisions with respect to the pending motions, it
6 is difficult for the parties to identify the issues that may remain in the case for purposes of
7 drafting and filing a case management report. Similarly, without knowing the extent to which
8 issues may remain in the case after the Court decides the pending motions, it does not make sense
9 to hold a case management conference.

10 4. For these reasons, the parties request that the present deadlines be vacated and that the
11 case management report currently due on July 31, 2009 be deferred until two weeks after the
12 Court rules on the pending motions. The parties further request that a case management
13 conference be scheduled at the Court's first regular Friday 10:30 a.m. session at least three weeks
14 after the Court rules on the pending motions.

15 Respectfully submitted,

16 JOSHUA GERSTEIN

TONY WEST
Assistant Attorney General


17
18 /s/
19 Plaintiff

/s/
Carlotta P. Wells
Senior Trial Counsel
United States Department of Justice
Civil Division
Federal Programs Branch

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23 Dated: July 29, 2009

Dated: July 29, 2009

PURSUANT TO STIPULATION, IT IS SO ORDERED.


MAXINE M. CHESNEY
United States District Judge